

REMARKS

In the Official Action mailed on **December 7, 2004**, the Examiner reviewed claims 1-18. Claims 1 and 9 were rejected under 35 U.S.C. § 102(e) as being anticipated by Sangha et al. (USPub 2002/0176430, hereinafter "Sangha"). Claims 2-6, 8, 10-14, 16, and 17-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sangha in view of Kao (USPub 2003/0037096, hereinafter "Kao"). Claims 7 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sangha in view of Kao and in further view of Oksanen (USPub 2002/0116568, hereinafter "Oksanen").

Rejections under 35 U.S.C. § 102(e) and 35 U.S.C. § 103(a)

Independent claims 1 and 9 were rejected as being anticipated by Sangha. Independent claim 17 was rejected as being unpatentable over Sangha in view of Kao. Applicant respectfully points out that Sangha teaches assigning packets to a fixed set of queues (see Sangha, paragraph [0013]) with **fixed sizes that are set when the system is first configured** (see Sangha, paragraphs [0058], [0070]-[0071]; TABLE 4 on page 5; FIG. 4).

In contrast, the present invention is directed to **dynamically allocating data areas** within a data buffer among a plurality of queues (see page 1, line 17 to page 2, line 14 of the instant application). The number of data areas assigned to a given queue can *dynamically change to meet changing storage requirements* (see page 3, line 27 to page 4 line 8; page 4 line 12-25; page 4, line 29 to page 5, line 2 of the instant application). Furthermore, the common pool of data areas can be *dynamically shared* among a plurality of queues (see page 3, lines 24-26; page 4 line 15-16; page 4, line 31 to page 5, line 2 of the instant application). This is beneficial because it allows the number of data areas assigned to a given queue to be dynamically allocated as the demand changes. Hence, a given queue is not limited by a fixed size set during initial configuration. There is nothing within

Sangha or Kao, either separately or in concert, which suggests dynamically sharing data areas within a data buffer among a plurality of queues, whereby a given queue's size can dynamically change to meet changing storage requirements thereby eliminating the need to set the given queue's size based on an initial memory allocation during initial configuration.

Accordingly, Applicant has amended independent claims 1, 9, and 17 to clarify that the present invention shares data areas within a data buffer among a plurality of queues *whereby the given queue's size can dynamically change to meet changing storage requirements thereby eliminating the need to set the given queue's size based on an initial memory allocation during initial configuration.* These amendments find support on page 1, line 17 to page 2, line 14; page 3, lines 24 to page 4 line 8; page 4 line 12-25; and page 4, line 29 to page 5, line 2 of the instant application.

Hence, Applicant respectfully submits that independent claims 1, 9, and 17 as presently amended are in condition for allowance. Applicant also submits that claims 2-8, which depend upon claim 1, claims 10-16, which depend upon claim 9, and claim 18, which depends upon claim 17, are for the same reasons in condition for allowance and for reasons of the unique combinations recited in such claims.

CONCLUSION

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

By



Edward J. Grundler
Registration No. 47,615

Date: January 6, 2005

Edward J. Grundler
PARK, VAUGHAN & FLEMING LLP
508 Second Street, Suite 201
Davis, CA 95616-4692
Tel: (530) 759-1663
FAX: (530) 759-1665